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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,353	10/11/2001	Surender Kumar	CM04624H	9535
22917	7590	06/24/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			CHO, HONG SOL	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,353

Applicant(s)

KUMAR ET AL.

Examiner

Hong Cho

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01082003, 04042005</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-3, 5, 6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Armitage (USPUB 20020026525).

For the purpose of the examination a mobile host is associated with IP network by wireless communication with base stations (*A plurality of communication units wirelessly communicate with the sites*, paragraph [0042], lines 9-15).

Re claims 1 and 9, Armitage discloses mobile hosts linked with the multicast-capable IP network (*a communication system including a plurality of sites linked together by a packet network*, figure 2). Armitage discloses mobile hosts with different multicast addresses (*determining first and second multicast IP addresses to be used for a two-party call*, paragraph [0075], lines 1-3). Armitage discloses multicast-capable IP network

providing multicast communication between hosts wherein an information packet originated from one mobile host with multicast address, M3 is delivered to the other mobile host with multicast address, M2 (*issuing commands to the packet network requesting reconfiguration of the packet network to enable a first site of the communication system to receive payload for the call via the first multicast IP address and a second site of the communication system to receive payload for the call via the second multicast IP address*, figure 3; paragraph [0046], lines 5-9).

Re claim 2, Armitage discloses a mobile host registering with multicast group by transmitting an Internet Group management Protocol (IGMP) join message on the local subnet to which the mobile host is currently attached (*sending, from the first and second site, respective IGMP Join messages identifying the first and second multicast IP addresses to one or more network devices of the packet network*, paragraph [0076]).

Re claims 3 and 5, Armitage discloses a mobile host encapsulating directed IP packet (*receiving, by the first site, a message identifying a target device associated with the second site*) and sending multicast-tunnel link packet to the second multicast IP address (*sending the message from the first site to the second multicast IP address*, paragraph [0046]; figure 3). Armitage inherently disclose receiving (*a message identifying a target device associated with the first site*), by the second site, at least a portion of the message via the second multicast IP address and sending the at least a portion of the message from the second site to the target device.

Re claim 6, Armitage discloses a mobile host moving to a new attachment point (*one of the source device and target device moves to a different site during the call*,

paragraph [0075], lines 4-6). Armitage discloses defining a moved communication unit and an old site and a new site for the moved communication unit (paragraph [0075], lines 7-16). Armitage discloses receiving its assigned multicast group and issuing a join request message for new group (*receiving a message identifying one multicast IP address associated with the call and issuing commands to the packet network requesting reconfiguration of the packet network to enable the new site to receive payload for the call*, paragraph [0075], lines 4-6).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armitage.

Re claims 4 and 10, Armitage discloses a mobile host sending multicast-tunnel link packet after encapsulating directed IP packet to the second multicast IP address (*receiving, by the first site, a message identifying a target device associated with the second site and sending the message from the first site to the second multicast IP address*, paragraph [0046]; figure 3). Armitage fails to disclose receiving, by the second site, a

message identifying a target device associated with the first site, sending the message from the second site to the first multicast IP address, receiving, by the first site, at least a portion of the message via the first multicast IP address and sending the at least a portion of the message from the first site to the target device. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Armitage to have two-party call by establishing full duplex communication between mobile hosts so that mobile hosts would communicate with other hosts (paragraph [0003]).

Allowable Subject Matter

5. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement for reasons for allowance.

6. Claim 7 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest receiving, by the new site, a message identifying at least one multicast IP address comprises receiving a message identifying the first and second multicast IP address associated with the call from the moved communication unit.

Claim 8 is allowable over the prior art of record since the cited references taken Individually or in combination fail to particularly teach or fairly suggest receiving, by the new site, a message for requesting, by the new site from a call server, the first and second multicast IP addresses associated with the call and receiving the message from the call server identifying the first and second multicast IP addresses.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US PUB (20030018715) to O'Neill
- US Patent (6215766) to Ammar et al
- US Patent (6781999) to Eyuboglu et al

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
6/21/2005



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